
AGENCY OVERVIEW**180 Judicial Branch**

Date: 01/13/2011**Time:** 11:10:45**Statutory Authority**

ND Constitution, Article 6, Judicial Branch, Sections 1-13, Chapters 27-02, 27-03, 27-04, 27-05, 27-05.2, 27-06, 27-17, 27-20, 27-23, North Dakota Century Code; North Dakota Rules of Disciplinary Procedure.

Agency Description

The North Dakota judicial system is comprised of the Supreme Court, district courts, municipal courts and the intermediate court of appeals, when convened. The juvenile court is a division of the district court. These courts provide the forum for the resolution of litigation in an orderly, timely manner.

Agency Mission Statement

The mission of the North Dakota judicial system is to provide a forum for the timely and just resolution of disputes.

Agency Performance Measures

The judiciary is constantly monitoring its performance regarding delivering judicial services. Some of these performance measures include:

- Civil, criminal and juvenile docket currency standards.
- Jury yield and juror utilization statistics.
- Staffing standards.
- Fully Automated Child Support Enforcement System (FACSES) action alerts.
- Case data entry time standards.

Major Accomplishments

Some major accomplishments of the judiciary include:

1. Implemented electronic filing.
2. Provided web-based access to court records.
3. Implemented rules to expedite appeals of juvenile probation cases.
4. Revised the rules of criminal procedure.
5. Mandated greater use of alternative dispute resolution processes.
6. Collected fines/fees through state tax intercept.
7. Changed Rules of Professional Conduct.

Major technology accomplishments include:

1. Expanded interactive television.
2. Expanded digital audio recording.
3. Implemented interactive phone payment system.
4. Implemented new Odyssey case management system.

Future Critical Issues

Future critical issues for the Judicial Branch include:

- Developing strategies for delivering judicial services given the changing demographics of the state.
- Utilizing technology to deliver judicial services more efficiently.

REQUEST SUMMARY

180 Judicial Branch

Biennium: 2011-2013

Bill#: HB1002

Date: 01/13/2011

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Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Budget Request
By Major Program					
Supreme Court	8,984,710	10,526,942	760,497	11,287,439	0
District Court	56,950,505	73,334,251	(1,494,064)	71,840,187	0
Judicial Cond Comm and Disc. Board	670,394	813,629	37,827	851,456	0
Total Major Program	66,605,609	84,674,822	(695,740)	83,979,082	0
By Line Item					
Salaries and Wages	48,294,453	57,170,251	4,247,257	61,417,508	0
Operating Expenses	15,123,097	22,823,698	(3,410,058)	19,413,640	0
Capital Assets	1,495,971	2,314,482	(1,592,502)	721,980	0
District Court- Judges Retirement	512,418	533,705	(40,513)	493,192	0
Judicial Conduct Comm & Disciplinary Brd	670,394	813,629	37,827	851,456	0
Supreme Court- Judges Retirement	128,825	127,021	13,941	140,962	0
Mediation	300,451	792,036	68,308	860,344	0
Alternative Dispute Resolution	0	20,000	(20,000)	0	0
Und-Central Legal Research	80,000	80,000	0	80,000	0
Total Line Items	66,605,609	84,674,822	(695,740)	83,979,082	0
By Funding Source					
General Fund	64,680,149	82,590,015	(793,208)	81,796,807	0
Federal Funds	1,638,851	1,730,461	126,314	1,856,775	0
Special Funds	286,609	354,346	(28,846)	325,500	0
Total Funding Source	66,605,609	84,674,822	(695,740)	83,979,082	0
Total FTE	338.00	342.00	4.00	346.00	0.00

REQUEST DETAIL

180 Judicial Branch
Biennium: 2011-2013

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Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Budget Request
Salaries and Wages					
Salaries - Permanent	35,661,105	41,308,196	3,237,359	44,545,555	0
Temporary Salaries	396,304	744,083	304,817	1,048,900	0
Overtime	3,403	0	0	0	0
Fringe Benefits	12,233,641	15,117,972	705,081	15,823,053	0
Total	48,294,453	57,170,251	4,247,257	61,417,508	0
Salaries and Wages					
General Fund	47,352,022	56,191,343	4,066,501	60,257,844	0
Federal Funds	931,280	938,908	220,756	1,159,664	0
Special Funds	11,151	40,000	(40,000)	0	0
Total	48,294,453	57,170,251	4,247,257	61,417,508	0
Operating Expenses					
Travel	1,359,105	1,499,743	90,087	1,589,830	0
Supplies - IT Software	625,331	367,258	84,573	451,831	0
Supply/Material-Professional	1,220,236	1,447,042	62	1,447,104	0
Food and Clothing	3,232	7,700	950	8,650	0
Bldg, Ground, Maintenance	805	0	0	0	0
Miscellaneous Supplies	240,929	239,012	(49,375)	189,637	0
Office Supplies	352,976	364,182	31,747	395,929	0
Postage	426,662	468,760	68,208	536,968	0
Printing	223,031	268,930	23,475	292,405	0
IT Equip Under \$5,000	294,287	628,694	(113,565)	515,129	0
Other Equip Under \$5,000	52,554	0	0	0	0
Office Equip & Furn Supplies	233,554	201,500	91,894	293,394	0
Insurance	52,321	51,254	9,041	60,295	0
Rentals/Leases-Equip & Other	14,511	18,250	(1,100)	17,150	0
Rentals/Leases - Bldg/Land	87,209	249,900	14,156	264,056	0
Repairs	200,329	205,750	15,340	221,090	0
IT - Data Processing	778,263	969,255	471,139	1,440,394	0
IT - Communications	422,496	456,425	51,000	507,425	0
IT Contractual Svcs and Rprs	2,000,922	6,876,829	(4,746,192)	2,130,637	0
Professional Development	515,423	855,419	(58,557)	796,862	0
Operating Fees and Services	5,489,445	7,054,240	360,509	7,414,749	0
Fees - Professional Services	489,257	548,155	240,450	788,605	0
Medical, Dental and Optical	40,172	45,400	6,100	51,500	0
Other Expenses	47	0	0	0	0
Total	15,123,097	22,823,698	(3,410,058)	19,413,640	0

REQUEST DETAIL

180 Judicial Branch

Biennium: 2011-2013

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Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Budget Request
Operating Expenses					
General Fund	14,414,522	22,032,145	(3,315,616)	18,716,529	0
Federal Funds	707,571	791,553	(94,442)	697,111	0
Special Funds	1,004	0	0	0	0
Total	15,123,097	22,823,698	(3,410,058)	19,413,640	0
Capital Assets					
Extraordinary Repairs	14,203	0	0	0	0
Equipment Over \$5000	567,041	288,125	(100,625)	187,500	0
IT Equip/Sftware Over \$5000	914,727	2,026,357	(1,491,877)	534,480	0
Total	1,495,971	2,314,482	(1,592,502)	721,980	0
Capital Assets					
General Fund	1,495,971	2,314,482	(1,592,502)	721,980	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	1,495,971	2,314,482	(1,592,502)	721,980	0
Supreme Court- Judges Retirement					
Temporary Salaries	128,825	127,021	13,941	140,962	0
Total	128,825	127,021	13,941	140,962	0
Supreme Court- Judges Retirement					
General Fund	128,825	127,021	13,941	140,962	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	128,825	127,021	13,941	140,962	0
District Court- Judges Retirement					
Temporary Salaries	512,418	533,705	(40,513)	493,192	0
Total	512,418	533,705	(40,513)	493,192	0
District Court- Judges Retirement					
General Fund	512,418	533,705	(40,513)	493,192	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	512,418	533,705	(40,513)	493,192	0

Judicial Conduct Comm & Disciplinary Brd

REQUEST DETAIL

180 Judicial Branch
Biennium: 2011-2013

Bill#: HB1002

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Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Budget Request
Salaries - Permanent	425,564	493,587	20,494	514,081	0
Fringe Benefits	145,841	164,462	3,482	167,944	0
Travel	16,557	30,000	3,000	33,000	0
Supplies - IT Software	1,913	1,750	80	1,830	0
Supply/Material-Professional	4,173	4,000	1,000	5,000	0
Miscellaneous Supplies	330	1,750	0	1,750	0
Office Supplies	1,152	2,000	(500)	1,500	0
Postage	13,911	11,000	0	11,000	0
Printing	1,955	2,000	0	2,000	0
IT Equip Under \$5,000	3,203	4,363	(95)	4,268	0
Office Equip & Furn Supplies	0	1,000	0	1,000	0
Insurance	678	800	0	800	0
Rentals/Leases-Equip & Other	7,144	13,800	(3,800)	10,000	0
Rentals/Leases - Bldg/Land	16,335	19,500	1,300	20,800	0
Repairs	3,555	4,800	0	4,800	0
IT - Data Processing	6,807	8,280	1,138	9,418	0
IT - Communications	3,840	5,787	(1,264)	4,523	0
IT Contractual Svcs and Rprs	150	750	4,992	5,742	0
Professional Development	2,908	5,000	3,000	8,000	0
Operating Fees and Services	12,320	30,000	4,000	34,000	0
Fees - Professional Services	2,058	9,000	1,000	10,000	0
Total	670,394	813,629	37,827	851,456	0

Judicial Conduct Comm & Disciplinary Brd

General Fund	395,940	499,283	26,673	525,956	0
Federal Funds	0	0	0	0	0
Special Funds	274,454	314,346	11,154	325,500	0
Total	670,394	813,629	37,827	851,456	0

Mediation

Salaries - Permanent	77,494	120,782	2,962	123,744	0
Fringe Benefits	13,150	40,714	502	41,216	0
Travel	26,640	25,440	(8,940)	16,500	0
Supplies - IT Software	0	0	420	420	0
Supply/Material-Professional	83	12,000	(7,000)	5,000	0
Miscellaneous Supplies	734	12,000	(11,800)	200	0
Postage	42	0	180	180	0
IT Equip Under \$5,000	868	0	1,156	1,156	0
Office Equip & Furn Supplies	0	5,000	(1,156)	3,844	0
Insurance	108	0	0	0	0

REQUEST DETAIL

180 Judicial Branch
Biennium: 2011-2013

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Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Budget Request
Rentals/Leases - Bldg/Land	120	0	0	0	0
IT - Data Processing	935	0	1,200	1,200	0
IT - Communications	948	0	2,000	2,000	0
Professional Development	3,642	10,000	0	10,000	0
Operating Fees and Services	1,989	0	0	0	0
Fees - Professional Services	173,698	566,100	88,784	654,884	0
Total	300,451	792,036	68,308	860,344	0
Mediation					
General Fund	300,451	792,036	68,308	860,344	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	300,451	792,036	68,308	860,344	0
Alternative Dispute Resolution					
Fees - Professional Services	0	20,000	(20,000)	0	0
Total	0	20,000	(20,000)	0	0
Alternative Dispute Resolution					
General Fund	0	20,000	(20,000)	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	20,000	(20,000)	0	0
Und-Central Legal Research					
Grants, Benefits & Claims	80,000	80,000	0	80,000	0
Total	80,000	80,000	0	80,000	0
Und-Central Legal Research					
General Fund	80,000	80,000	0	80,000	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	80,000	80,000	0	80,000	0
Funding Sources					
General Fund	64,680,149	82,590,015	(793,208)	81,796,807	0
Federal Funds	1,638,851	1,730,461	126,314	1,856,775	0
Special Funds	286,609	354,346	(28,846)	325,500	0
Total Funding Sources	66,605,609	84,674,822	(695,740)	83,979,082	0

CHANGE PACKAGE SUMMARY

180 Judicial Branch
Biennium: 2011-2013

Bill#: HB1002

Date: 01/13/2011
Time: 11:10:45

Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds
<u>Base Budget Changes</u>						
One Time Budget Changes						
A-B 14 Disaster recovery study		0.00	100,000	0	0	100,000
A-B 15 WACP and WCL study		0.00	300,000	0	0	300,000
A-B 3 Equipment over \$5,000		0.00	187,500	0	0	187,500
A-B 4 IT Equipment over \$5,000.		0.00	534,480	0	0	534,480
A-E 1 Remove current biennium one-time funding items.		0.00	(5,992,899)	0	0	(5,992,899)
Total One Time Budget Changes		0.00	(4,870,919)	0	0	(4,870,919)
Ongoing Budget Changes						
A-A 10 Salaries and wages - Judicial Branch.		0.00	28,434	0	0	28,434
A-A 11 Miscellaneous Supreme Court operating adjustmen		0.00	25,275	0	0	25,275
A-A 12 Miscellaneous Disctrict Court operating adjustm		0.00	153,050	(140,140)	0	12,910
A-A 13 Miscellaneous JCCDB operating adjustments.		0.00	7,861	0	5,990	13,851
A-A 16 Commission to Study Racial and Ethnic Bias in t		0.00	40,000	0	0	40,000
A-A 6 Payments to contract counties.		0.00	445,909	0	0	445,909
A-A 7 ITD technology fee		0.00	381,660	0	0	381,660
A-A 8 Odyssey maintenance support and enhancements		0.00	750,420	0	0	750,420
A-A 9 Information technology costs		0.00	497,379	45,698	0	543,077
A-F 2 Remove current biennium capital assets.		0.00	(2,314,482)	0	0	(2,314,482)
Base Payroll Change		4.00	4,062,205	220,756	(34,836)	4,248,125
Total Ongoing Budget Changes		4.00	4,077,711	126,314	(28,846)	4,175,179
Total Base Budget Changes		4.00	(793,208)	126,314	(28,846)	(695,740)

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Change Group: A	Change Type: A	Change No: 5	Priority:
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Old Judges Retirement System.

The request is for the remaining participants of the old judges retirement system. There are 2 remaining participants in the Supreme Court and 11 remaining participants in District Court.

Change Group: A	Change Type: A	Change No: 6	Priority:
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Payments to contract counties.

Increases payments to contract counties for providing clerk of court services. Contract payments are based on weighted caseload staffing standards adopted by the Supreme Court. Total 2011-13 biennium contract payments will be \$3,432,492.

Change Group: A	Change Type: A	Change No: 7	Priority:
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ITD technology fee

The Information Technology Department will be changing the formula for determining the technology fee charged to the Judicial Branch. The fee is based on the number of employees and a per server charge. We currently are charged for 101 employees; however this will increase to approximately 340 employees and 70 servers. The total technology fee increase for the District Court is \$381,660 for the biennium.

Change Group: A	Change Type: A	Change No: 8	Priority:
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Odyssey maintenance support and enhancements

Information technology contractual services includes \$641,920 for Odyssey maintenance support and system updates and \$108,500 for North Dakota specific Odyssey system enhancements.

Change Group: A	Change Type: A	Change No: 9	Priority:
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Information technology costs

Includes funding for server storage fees (\$40,800) and reflects increases in charges for fiber and T-1 lines, and general information technology maintenance contract and licensing fees.

Change Group: A	Change Type: A	Change No: 10	Priority:
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Salaries and wages - Judicial Branch.

Total salaries and wages includes \$1,095,141 for a five percent per year salary increase for Justices and Judges. This does not include salary increases for court employees, which will be added by the Office and Management and Budget based on the Governor's recommendation. Funding for operating expenses includes computers and office furniture for new employees. The District Court budget request includes 4 new FTE positions -- a law clerk for the South Central Judicial District, a deputy clerk of court for Burleigh County, a juvenile court officer for Cass County and a juvenile court officer for Burleigh County. The District Court budget request

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includes funding for the following temporary positions -- a research analyst for the Court Improvement Program (this position will be funded with a federal Court Improvement grant, which requires a 25 percent general fund match) and two part-time secretaries for Juvenile Court.

Change Group: A	Change Type: A	Change No: 11	Priority:
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Miscellaneous Supreme Court operating adjustments.

Various miscellaneous operating increases and decreases for the Supreme Court.

Change Group: A	Change Type: A	Change No: 12	Priority:
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Miscellaneous District Court operating adjustments.

Various miscellaneous operating increases and decreases for District Courts.

Change Group: A	Change Type: A	Change No: 13	Priority:
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Miscellaneous JCCDB operating adjustments.

Various miscellaneous operating increases and decreases for the Judicial Conduct Commission and Disciplinary Board.

Change Group: A	Change Type: A	Change No: 16	Priority:
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Commission to Study Racial and Ethnic Bias in the Courts - Supreme Court

Increases operating costs by \$40,000 and temporary salaries by \$92,400 for the Commission to Study Racial and Ethnic Bias in the Courts. Total funding includes \$60,000 for operating fees and \$114,400 for temporary salaries.

Change Group: A	Change Type: B	Change No: 3	Priority:
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Equipment over \$5,000

Equipment over \$5,000 includes funding for copy machines, office furniture and other office equipment necessary for operation of the courts.

Change Group: A	Change Type: B	Change No: 4	Priority:
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IT Equipment over \$5,000.

Information technology equipment over \$5,000 includes funding for digital audio servers and sound systems (\$171,480), disk and server expansion (\$292,000), digital audio mid-tier server replacements and SQL 2K/Admin server replacements (\$40,000), and evidence presentation equipment (\$31,000).

Change Group: A	Change Type: B	Change No: 14	Priority:
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Disaster recovery study

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The District Court budget request includes one-time funding of \$100,000 for an information technology disaster recovery study.

Change Group: A	Change Type: B	Change No: 15	Priority:
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WACP and WCL study

The District Court budget request includes one-time funding of \$300,000 to update the Work Assessment Policy Committee (WAPC) study to assess clerk of court staffing standards and the weighted caseload (WCL) study of judicial resources and workload. The studies need to be updated to reflect variances in the way cases are counted in Odyssey as compared to UCIS.

Change Group: A	Change Type: E	Change No: 1	Priority:
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Remove current biennium one-time funding items.

Removes 2009-11 biennium one-time funding for Odyssey project operating costs (\$5,340,859), management reserve fund (\$600,000), and parenting coordinator training (\$52,040).

Change Group: A	Change Type: F	Change No: 2	Priority:
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Remove current biennium capital assets.

Removes 2009-11 biennium one-time funding for office equipment and IT equipment. Total District Court one-time funding of \$2,301,933 included \$1,917,270 of equipment relating to the Odyssey project.